Year	Custodial deaths	Custodial rape
2005	81	7
2006	50	2
2007	57	1

(b) and (c) Law and Order is a State subject. It is for State Government to take appropriate action in every crime. As reported by National Human Rights Commission, its guidelines on the reporting of custodial deaths and custodial rape within twenty four hours of its occurrence are being followed by and large by all State Governments/UTs.

Section 176 of the Cr. P.C. has also been amended to provide that in case of death or disappearance of a person or rape of a woman while in the custody of the police, there shall be a mandatory judicial inquiry and in case of death, examination of the dead body shall be conducted within twenty-four hours of death *vide* Cr. P.C. (Amendment) Act, 2005.

Illegal Bangladeshi immigrants

915. DR. T. SUBBARAMI REDDY:
SHRI VIJAY JAWAHARLAL DARDA:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Home Ministry has felt that Bangladeshis have no business to stay back and favours strict measures to check illegal immigration;

(b) whether Supreme Court of India had also issued directions to the Union Government to issue national cards to citizens and had urged them for deportation for Bangladeshi immigrants;

(c) whether they have also issued notices to check infiltration by issue of citizens cards as a must;

(d) whether 30603 foreigners are absconding in Assam alone; and

(e) what concrete steps and measures Government proposes to take?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRIMATI V. RADHIKA SELVI): (a) to (e) Yes, Sir. Government is aware that India's long and porous border with Bangladesh, geographical proximity, family ties and ethnic similarity, coupled with better economic opportunities in India, have resulted in illegal migration from Bangladesh and that comprehensive measures are essential to check this clandestine activity.

Hon'ble Supreme Court of India has issued some direction in the Writ Petition No. 125/98, which *inter-alia*, emphasize the need:—

(i) To take initiatives for preparation of National Register of Indian Citizens (NRIC) and issue of Multi Purpose National Cards (MNIC) based on this Register.

(ii) To expedite setting of Tribunals under the Foreigners' Act and to constitute sufficient number of Tribunals so that the pending cases may be disposed of.

(iii) To negotiate with the appropriate authorities for the deportation of the persons who are alleged to be foreign nationals.

Given the clandestine nature of the activity specific data either in aggregate or state-wise, is not available. However, a comprehensive set of measures have been put in place by the Government to deal with issue in the country, including Assam.

The detection and deportation of foreign nationals overstaying illegally, and those who have entered the country illegally is a continuous process and action is taken against them. The details of Bangladeshi nationals who visited India on valid travel documents, overstayed and were deported during the last five years is as below:—

Year	Arrival	Departure	Overstaying	Deported
2003	497722	470962	24359	18801
2004	490821	458216	35718	38005
2005	485640	462493	12338	14916
2006	484401	464209	24497	13692
2007	500234	474430	25712	12135

The details of overstayal given above are specific to that particular year.

The powers of identification and deportation of illegally staying foreign nationals including Bangladeshi nationals have been delegated to the State Governments and Union Territories Administrations under Section 3(2)(c) of the Foreigners Act.

As per directions passed by the Supreme Court in Writ Petition No. 131 of 2000 on 12.7.2005, 21 additional Foreigners Tribunals have been set up in the State of Assam. The Central Government is reimbursing expenditure incurred on the functioning of these Tribunals to the State Government of Assam.

Steps have also been taken to strengthen the Border Security Force (BSF) deployed on the border and equipping them with modern equipments, setting up of additional border outposts and intensified patrolling, particularly in vulnerable stretches. Action is underway for construction of border fencing, roads and floodlighting along the Indo-Bangladesh border. The issue of illegal migrants from Bangladesh has also been regularly taken up with the Bangladesh authorities at various levels, and steps have been initiated for coordinated patrolling identification of vulnerable gaps, strengthening of riverine patrolling, etc.